

The Office has characterized the inventions of Group I and Group II, as well as Group I and III, as related as combination and subcombination. Citing MPEP §806.05(c) the Office suggests that “the subcombination such as synthetic esters for various uses not including as an additive to hydrocarbon lubricants or fuels such as in aqueous metal working fluids”. However, the Office has not provided sufficient reasons and/or examples to support this assertion. The Office has merely stated a conclusion. Accordingly, the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Accordingly, Applicants respectfully submit that the Restriction Requirement should be withdrawn.

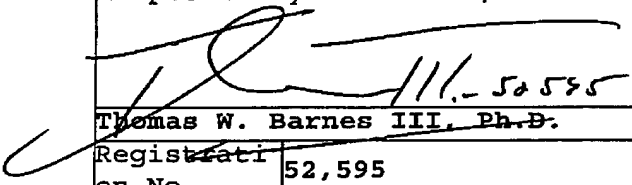
In addition, the Office has characterized the inventions of Groups II and III as unrelated. Citing MPEP §806.04 and MPEP §808.01, the Office concludes that “lubricating oil compositions are circulated while fuel compositions are combusted”. However, the Office has not provided sufficient reasons and/or examples to support this assertion. The Office has again merely stated the conclusion. Accordingly, the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Accordingly, Applicants respectfully submit that the Restriction Requirement should be withdrawn.

Applicants further traverse the Restriction Requirement on the additional ground that a search of all the claims would not impose a serious burden on the Office. The MPEP in §803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn. Applicants further submit that this application is in condition for examination on the merits and an early notification to that effect is earnestly solicited.

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